

IATA Legal Symposium

28 February - 2 March 2010
Lisbon, Portugal



IATA Legal Symposium 2010 Program

Day 1 - Sunday 28 February 2010

1700 – 2000 **Registration**

1800 – 2000 **Welcome Cocktail Reception - Sponsored by:**

CLYDE & CO
BEAUMONT & SON
Aviation

2000 – 2200 **Welcome Dinner - Sponsored by:**

haynesboone
Setting precedent.

Day 2 – Monday 1 March 2010

0730 – 1745 **Registration**

0830 – 0900 **Welcome Address**

Fernando Pinto, Chairman and CEO, **TAP Portugal**
Robert McGeorge, General Counsel, **IATA**

0900 – 1030 **Opening Plenary Session - Regulatory Round-table**

Panel comprised of European Regulators to speak on their preoccupations in the current climate and their priorities for the industry in the new decade.

Moderator:

Peter Griffiths, Regional Vice President Europe, **IATA**

Panel :

Daniel Calleja Crespo, Director Air Transport, **Directorate General – Energy & Transport, European Commission**

Chris Dekkers, Coordinator, **EU ETS Compliance Forum**

Luis Fonseca de Almeida, Chairman, **Portuguese Civil Aviation Authority**

1030 – 1115 **Refreshment Break - Sponsored by:**



1115 – 1230 **Breakout Sessions**

1. Consumer Protection and Passenger Issues

Discussion of recent developments in consumer protection in the airline industry, including the recent legislative and judicial activity in the EU, proposed legislation on delay compensation in the USA, ticket sales practices, potential airline liability for collection of taxes from exempt passengers, proposed action by the EU on airline bankruptcy and cabin health issues.

Moderator:

Roy Goldberg, Partner, **Sheppard Mullin Richter & Hampton LLP**

Panel:

Maria da Cunha, General Counsel, **British Airways**

Carlos Martins, Partner, **Bersen Jacobsen Chouest Thomson Blackburn LLP**

Laura Pierallini, Partner, **Studio Legale Pierallini & Associati**

Claude Thibeault, Medical Adviser, **IATA**

2. Aviation and the Environment: with little accomplished at Copenhagen, the battle rages on

This panel of representatives from different areas of the aviation industry will examine the challenges facing the industry and will express their views on the policies and regulations that are likely to be implemented to reduce aviation's contribution toward global warming and offer suggestions on how the airline industry can prepare to meet these challenges.

Moderator:

Andreas Hardeman, Assistant Director, Environment Policy & Outreach, **IATA**

Panel:

John Deacon, Partner, **Hunton & Williams LLP**

Renee Martin-Nagle, Vice President & General Counsel, **Airbus Americas**

Eckhard Rautenberg, General Counsel, **Air Berlin**

Marshall Turner, Partner, **Condon & Forsyth LLP**

1230 – 1400 **Luncheon & Keynote Address**

Sir Richard Dearlove KCMG OBE, formerly Chief, **British Secret Intelligence Service (MI6)**

1400 – 1515 **Breakout Sessions**

1. Liberalization – Agenda for Freedom

This panel will explore the concept that the economic regulation of the air transport industry is increasingly reflecting aspects of general international trade law to the detriment of the traditional bilateral system. The consequences of the Agenda for Freedom, if implemented, would raise a number of trade law issues. Also, environment-related measures or differing competition law principles could potentially be seen as barriers to trade. The panel would discuss this trend and likely consequences for the aviation industry.

Moderator:

Carlos Grau Tanner, former Director, Government & Industry Affairs, **IATA**

Panel:

Daniel Crosby, Partner, **Budin & Associés**

Regula Dettling-Ott, Managing Director, International Relations & Government Affairs, **Swiss International Air Lines**

Brian Havel, Professor, Director International Aviation Law Institute, **DePaul University College of Law**

Hamid Mamdouh, Director, Trade in Services Division, **World Trade Organisation**

2. Global Cargo Regulatory Update

A panel highlighting legal issues facing international air cargo carriers now and in the imminent future. From 100% cargo screening initiatives in the U.S. to advanced electronic customs information requirements in Europe, air cargo carriers are facing more regulatory constraints than ever before. This panel will identify some of the measures that counsel should consider implementing with their airline clients.

Moderator:

Evelyn Sahr, Partner, **Eckert Seamans Cherin & Mellott LLC**

Panel:

Ricardo Bernardi, Partner, **Bernardi & Schnapp Advogados**

Nambita Mazwi, Corporate Legal Adviser, **South African Airways**

Sarah Prosser, Managing Director, Regulatory Affairs, **FedEx Express**

1515 – 1600 **Refreshment Break** - Sponsored by: **WILMERHALE** 

1600 – 1730 **Plenary Session - General Counsel's Round-table**

Best practices and priorities for your Legal Department - topics will include:

- *Managing workloads and workflows in the legal department*
- *Measures to reduce external legal spending*
- *Communicating the contribution of the legal department across your organization*

Moderator:

Janice Sharry, Partner, **Haynes and Boone, LLP**

Panel:

Abby Bried, Senior Attorney, **Continental Airlines**

Rush O'Keefe, Senior Vice President & General Counsel, **FedEx Express**

John Parkerson, Partner, **FSB Legal Counsel**

Nicolai von Ruckteschell, Senior Vice President & General Counsel, **Deutsche Lufthansa**

Richard Stock, Partner, **Catalyst Consulting**

1815 **Transportation Hotel Pick-up**

1900 – 2030 **Symposium Dinner Cocktail Reception** - Sponsored by: **HUNTON & WILLIAMS**

2030 – 2230 **Symposium Dinner** - Sponsored by: **HOWREY**

2230 **Transportation Pick-up**

Day 3 - Tuesday 2 March 2010

0800 – 1700 **Registration**

0900 – 1030 **Plenary Session - Airline Mergers, Acquisitions and Alliances in a New Environment – time for a new approach?**

There has been a change of guard of antitrust enforcement in the US and EU over the past 12 months. At the same time, new or reinforced antitrust enforcers are emerging in other parts of the world. How will these new regimes approach the airline mergers and alliances reviews that they inherit in the post-crisis environment? Is it time to take issues such as network efficiencies and indispensability seriously? Is the current structure of remedies necessary and effective?

Moderator:

Trevor Soames, Partner, **Howrey LLP**

Panel:

Martin Low, Partner, **McMillan LLP**

Miguel de la Mano, Deputy Chief Economist, Directorate General – Competition, **European Commission**

Anita Mosner, Partner, **Holland & Knight**

Oliver Richard, Assistant Chief, Economic Litigation Section, **U.S. Department of Justice**

Sven Völcker, Partner, **WilmerHale**



Studio Legale

1030 – 1115 **Refreshment Break – Sponsored by:** **Pierallini e Associati**

1115 - 1230 **Breakout Sessions**

1. Data Assets in the Airline Industry

A panel exploring legal issues arising from airline data, including:

- *Types of data created by airlines*
- *Types of uses (and misuses) of airline data*
- *IP and property rights to data*
- *The typical contracts involved*
- *Impact of social networking sites and blogs*

Moderator:

Bill Hopping, Senior Attorney, **American Airlines**

Panel:

Kathleen Argiropoulos, Vice President Travel Industry Products & General Counsel, **ARC**

Marcelo Halpern, Partner, **Latham & Watkins LLP**

Nigel Howard, Partner, **Covington & Burling LLP**

Andrew Winterton, Head of Legal and Compliance, **easyJet**

2. Unlawful Interference Convention 2009: the international community's legal response to the threat to aviation terrorism

A panel comprising those involved in the process of adoption of the new Convention from the Government and Industry perspective. Analysis of the key features of the Convention and focus on the most contentious points. What are the prospects of ratification and entry into force? Consideration of the wider issue of how an international aviation law instrument is and should be negotiated.

Moderator:

Michael Gill, Senior Legal Counsel, **IATA**

Panel:

David Browitt, Legal Adviser, **UK Department for Transport**

Sean Gates, Partner, **Gates and Partners**

Henrik Kjellin, Chairman, ICAO Legal Committee, **Swedish Ministry of Justice, Sweden**

Louise-Hélène Sénécal, Assistant General Counsel, Litigation, **Air Canada**

1230 – 1400 **Luncheon with Keynote Address** - Sponsored by:
Gary Doernhoefer, General Counsel, **Accertify Inc.**

LATHAM & WATKINS LLP

1400- 1515 **Breakout Sessions**

1. EU Regulation 261-2004

Five years after coming into force, EU Regulation 261-2004 remains one of the most contentious pieces of legislation to emerge from Brussels in recent times. This panel of experts will examine the current status of the Regulation from the industry and consumer perspective, in particular in light of the controversial EU Court of Justice decision on 19 November 2009.

Moderator:

John Balfour, Partner, **Beaumont & Son Aviation at Clyde & Co**

Panel:

Sue Barham, Partner, **Barlow Lyde & Gilbert**

Jochem Croon, General Counsel, **transavia.com**

Renate Dirnbeck, Senior Legal Counsel, **Austrian Airlines**

Simon Evans, Chief Executive, **Air Transport Users Council**

Stephan Hobe, Professor, Director Institute Air & Space Law, **University of Cologne**

2. Airlines as Single Actors under Competition Law:

Collaboration among airlines commands most attention by competition authorities and those who are responsible for competition law compliance but competition law also governs unilateral conduct by single actors. Like all business enterprises, especially those with strong market positions, airlines are subject to the rules governing access to essential facilities, alleged abuse of dominant positions and monopolization. This panel will discuss the application of competition law to single actors in the aviation industry making unilateral business decisions.

Moderator:

John Kallaugher, Partner, **Latham & Watkins LLP**

Panel:

Ricks Frazier, General Counsel & Secretary (interim), **United Air Lines**

Joy Fuyuno, Partner, **White & Case LLP**

Paul McGeown, Partner, **Hunton & Williams LLP**

Alison Smith, Partner, **Haynes and Boone LLP**

BARLOW LYDE & GILBERT

1515 – 1600 **Refreshment Break** – Sponsored by:

1600 – 1730 **Closing Plenary Session – Aircraft Accident Issues**

Addressing current trends and developments in accident litigation, including the continuing trend of criminalisation of aircraft accidents, the tendency on the part of plaintiffs to jump the gun in commencing proceedings and the knock-on effect on airline safety and insurance coverage.

Moderator:

John Goetz, Partner, **Jones Day**

Panel:

Philip Chrystal, Director, Claims and Liabilities, **Swiss Re**

Sean Gates, Partner, **Gates and Partners**

Richard Gimblett, Partner, **Barlow Lyde & Gilbert LLP**

James Kreindler, Partner, **Kreindler & Kreindler LLP**

1730 – 1930 **Farewell Reception** - Sponsored by:

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